



Docket No. 1255

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James F. McGuckin, Jr., et al

Serial No.: 10/696,932

Group Art Unit:

Filed: October 30, 2003

Examiner: Unknown

For: **Vein Filter**

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit: 7/14/04

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 & copy of cited references
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are being deposited with the United States Postal Service first class mail on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Neil Gershon
Rex Medical
2023 Summer Street
Suite 2
Stamford, CT 06905
(203) 348-0377



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INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure under 37 C.F.R §1.56, Applicants submit the enclosed references for the Examiner's consideration.

It is respectfully requested that the reference(s) submitted with Form PTO-1449 be considered during Examination of the above-identified application and made of record therein. Copies of the reference(s) previously cited by or submitted to the Patent and Trademark Office in parent application Serial No. 09/883,819, filed June 18, 2001, or 10/638,846, filed August 11, 2003, are not provided herein pursuant to MPEP Section 609.

The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

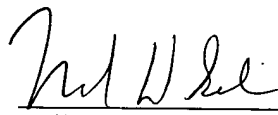
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- () This information disclosure statement is being filed within three (3) months of the filing date of this application.
- () This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- (X) To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- () Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).
- () Enclosed is a petition under 37 C.F.R. §1.97 (d)
- () Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 501567
- () As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).
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(X) Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 501567. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 501567 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Dated: 4/19/04



Neil D. Gershon
Registration No. 32,225
Attorney for the Applicants

Rex Medical, L.P.
2023 Summer St.
Suite 2
Stamford, CT. 06905



Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1255	SERIAL NO. 10/696,932
APPLICANT James F. McGuckin, Jr., et al		
FILING DATE October 30, 2003		GROUP Art Unit:

U.S. PATENT DOCUMENT

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3 9 5 2 7 4 7	4/21/76	Kimmel, Jr.			
		4 4 2 5 9 0 8	1/17/84	Simon			
		4 4 9 4 5 3 1	1/22/85	Gianturco			
		4 5 1 2 3 3 8	4/23/85	Balko, et al			
		4 6 1 9 2 4 6	10/28/86	Molgaard-Nielsen, et al			
		4 6 8 8 5 5 3	8/25/87	Metals			
		4 7 2 7 8 7 3	3/1/88	Mobin-Uddin			
		4 7 8 1 1 7 7	11/1/88	Lebigot			
		4 7 9 3 3 4 8	12/27/88	Palmaz			
		4 8 1 7 6 0 0	4/4/89	Herms, et al			
		4 8 3 2 0 5 5	5/23/89	Palestrant			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		0 2 1 1 8 1 2	2/14/02	PCT				
	WO	9 3 1 2 7 2 3	7/1993	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		B. Braun Medical, Inc. Vena Tech™ Vena Cava Filters, 2/00.
		Gianturco-Roehm, Bird's Nest® Vena Cava Filter
		Cordis Corporation, TrapEase™ Permanent Vena Cava Filter, "A Small, Easy and Verstaile System for Optimal Pulmonary Emboli Prevention", 2000 (4 pages)

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	4 9 5 7 5 0 1	9/18/90	Lahille, et al			
	4 9 9 0 1 5 6	2/05/91	Lefebvre			
	4 9 9 4 0 6 9	2/19/91	Ritchart, et al			
	5 0 5 9 2 0 5	10/22/91	El-Nounou, et al			
	5 1 3 3 7 3 3	7/28/92	Rasmussen, et al			
	5 1 5 2 7 7 7	10/6/92	Goldberg, et al			
	5 2 3 4 4 5 8	8/10/93	Metals			
	5 3 0 0 0 8 6	4/5/94	Gory, et al			
	5 3 2 4 3 0 4	6/28/94	Rasmussen			
	5 3 4 4 4 2 7	9/06/94	Cottenceau, et al			
	5 3 5 0 3 9 8	9/27/94	Pavcnik, et al			

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		5 3 7 0 6 5 7	12/06/94	Irie			
		5 3 7 5 6 1 2	12/27/94	Cottenceau, et al			
		5 3 8 2 2 6 1	1/17/95	Palmas			
		5 3 8 3 8 8 7	1/24/95	Nadal			
		5 4 0 5 3 7 7	4/11/95	Cragg			
		5 5 3 1 7 8 8	7/2/96	Dibie, et al			
		5 5 9 1 1 9 7	1/07/97	Orth, et al			
		5 6 0 1 5 9 5	2/11/97	Smith			
		5 6 2 6 6 0 5	5/6/97	Irie, et al			
		5 6 3 4 9 4 2	6/03/97	Chevillon, et al			
		5 6 8 1 3 4 7	10/28/97	Catheart, et al			

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		5 6 8 3 4 1 1	11/4/97	Kavteladze, et al			
		5 6 9 0 6 7 1	11/25/97	McGurk, et al			
		5 7 0 9 7 0 4	1/20/98	Nott, et al			
		5 7 2 5 5 5 2	3/10/98	Kotula, et al			
		5 7 3 3 2 9 4	3/1998	Forber, et al			
		5 7 3 3 3 2 9	3/31/98	Wallace, et al			
		5 7 4 6 7 6 7	5/05/98	Smith			
		5 7 5 5 7 7 9	5/26/98	Horiguchi			
		5 7 5 5 7 9 0	5/26/98	Chevillon, et al			
		5 7 7 6 1 6 2	7/7/98	Kleshinski			
		5 7 9 5 3 2 2	8/18/98	Boudewijn			

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	5 8 3 6 9 6 8	11/17/98	Simon, et al			
	5 8 5 3 4 2 0	12/29/98	Chevillon, et al			
	5 8 9 3 8 6 9	4/13/99	Barnhart, et al			
	5 8 9 5 3 9 8	4/20/99	Wensel, et al			
	5 8 9 5 4 1 0	4/20/99	Forber, et al			
	5 9 1 1 7 1 7	6/15/99	Jacobsen, et al			
	5 9 6 8 0 7 1	10/19/99	Chevillon, et al			
	5 9 7 6 1 7 2	11/02/99	Homsma, et al			
	5 9 8 4 9 4 7	11/16/99	Smith			
	6 0 0 7 5 5 8	12/28/99	Ravenscroft, et al			

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	6 0 1 3 0 9 3	1/11/00	Nott, et al			
	6 0 4 2 5 9 8	3/28/00	Tsugita, et al			
	6 0 5 9 8 2 5	5/09/00	Hobbs, et al			
	6 0 6 3 1 1 3	5/16/00	Kavteladze, et al			
	6 0 6 6 1 5 8	5/23/00	Engelson, et al			
	6 0 8 0 1 7 8	6/27/00	Meglin			
	6 0 9 3 1 9 9	7/25/00	Brown, et al			
	6 0 9 6 0 5 2	8/01/00	Callister, et al			
	6 0 9 9 5 4 9	8/08/00	Bosma, et al			
	6 1 1 7 1 5 4	9/12/00	Barbut, et al			
	6 1 2 3 7 1 5	9/2000	Amplatz, Curtis			

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	6 1 2 6 6 7 3	10/03/00	Kim, et al			
	6 1 4 6 6 0 4	11/14/00	Kim, et al			
	6 1 5 2 9 4 6	11/28/00	Broome, et al			
	6 1 6 5 1 7 9	12/26/00	Cathcart, et al			
	6 1 6 5 1 9 8	12/26/00	McGurk, et al			
	6 1 6 8 5 7 9	01/02/01	Tsugita			
	6 1 6 8 6 0 3	01/02/01	Leslie, et al			
	6 1 7 1 3 2 7	01/09/01	Daniel, et al			
	6 1 7 1 3 2 8	01/09/01	Addis			
	6 1 7 9 8 5 1	01/30/01	Barbut, et al			
	6 1 7 9 8 5 9	01/30/01	Bates, et al			

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		6 1 8 7 0 2 5	02/13/01	Machek			
		6 1 9 3 7 3 9	02/27/01	Chevillon, et al			
		6 2 1 4 0 2 5	04/10/01	Thistle, et al			
		6 2 1 7 6 0 0	4/17/01	DiMatteo			
		6 2 3 1 5 8 1	05/15/01	Shank, et al			
		6 2 3 1 5 8 9	05/15/01	Wessman, et al			
		6 2 3 5 0 4 4	5/22/01	Root, et al			
		6 2 3 5 0 4 5	5/022/01	Barbut, et al			
		6 2 4 1 7 4 6	06/05/01	Bosma, et al			
		6 2 4 5 0 1 2	6/12/01	Kleshinski			
		6 2 5 1 1 2 2	6/26/01	Tsukernik	k		

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		6 2 5 8 0 2 6	07/10/01	Ravenscroft, et al			
		6 2 6 7 7 7 6	07/31/01	O'Connell			
		6 2 7 3 9 0 1	08/14/01	Whitcher, et al			
		6 2 8 0 4 5 1	08/28/01	Bates, et al			
		6 2 8 0 4 5 7	08/28/01	Wallace, et al			
		6 2 9 0 7 2 1	09/18/01	Heath			
		6 3 3 1 1 8 4	12/18/01	Abrams			
		6 3 4 2 0 6 2	01/29/02	Suon, et al			
		6 3 4 2 0 6 3	01/29/0	Devries, et al			
		6 3 4 4 0 4 1	02/05/02	Kupiecki, et al			
		6 4 0 2 7 7 1	06/11/02	Palmer, et al			

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	6 4 3 6 1 2 1	08/20/02	Blom			
	6 4 4 3 9 7 1	9/03/02	Boylan, et al			
	6 4 4 3 9 7 2	9/03/02	Bosma, et al			
	6 4 4 7 5 3 0	9/10/02	Ostrovsky, et al			
	6 4 4 7 5 3 1	9/02	Amplatz, Curtis			
	6 4 5 8 1 3 9	10/01/02	Palmer, et al			
	6 4 6 8 2 9 0	10/22/02	Weldon, et al			
	6 4 8 2 2 2 2	11/19/02	Bruckheimer, et al			
	6 5 0 6 2 0 5	01/2003	Goldberg, et al			
	6 5 1 7 5 5 9	02/11/03	O'Connell			
	6 5 2 7 9 6 2	03/04/03	Nadal			

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		6 5 4 0 7 6 7	04/01/03	Walak, et al			
		6 5 5 1 3 4 2	04/22/03	Shen, et al			
		6 6 5 2 5 5 8	11/25/03	Patel, et al			
		6 5 6 2 0 5 8	05/13/03	Sequin, et al			
		6 6 6 0 0 2 1	12/09/03	Palmer, et al			
		6 6 9 5 8 7 8	02/24/04	McGuckin, et al			
2002		0 1 1 6 0 2 4	08/22/02	Goldberg, et al			
2002		0 1 9 3 8 2 7	12/19/02	McGuckin, et al			
2003		0 2 0 8 2 2 7	11/06/03	Thomas			
2003		0 2 0 8 2 5 3	11/06/03	Beyer, et al			

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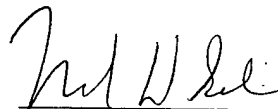
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- () As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).
- () Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 501567.

(X) Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 501567. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 501567 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Dated: 4/19/04



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Docket: 1255

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James F. McGuckin, Jr., et al

Serial No: 10/696,932

Examiner:

Filed: October 30, 2003

Group Art Unit:

For: **Vein Filter**

Commissioner For Patents
P. O. Box 1450
Alexandria, V.A. 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure under 37 C.F.R §1.56, Applicants submit the enclosed references for the Examiner's consideration.

It is respectfully requested that the reference(s) submitted with Form PTO-1449 be considered during Examination of the above-identified application and made of record therein. Copies of the reference(s) previously cited by or submitted to the Patent and Trademark Office in parent application Serial No. 09/883,819, filed June 18, 2001, or 10/638,846, filed August 11, 2003, are not provided herein pursuant to MPEP Section 609.

The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

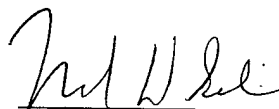
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- () This information disclosure statement is being filed within three (3) months of the filing date of this application.
- () This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- (X) To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- () Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).
- () Enclosed is a petition under 37 C.F.R. §1.97 (d)
- () Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 501567
- () As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).
- () Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 501567.

(X) Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 501567. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 501567 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

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